

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF TENNESSEE - WESTERN DIVISION

SCOTT TURNAGE, CORTEZ D. BROWN, DEONTAE
TATE, JEREMY S. MELTON, ISSACCA POWELL,
KEITH BURGESS, TRAVIS BOYD, TERRENCE
DRAIN, and KIMBERLY ALLEN on behalf of
themselves and all similarly situated persons,

Plaintiffs,

v.

BILL OLDHAM, in his individual capacity as former
Sheriff of Shelby County, Tennessee; FLOYD BONNER,
JR., in his official capacity as Sheriff of Shelby County,
Tennessee; ROBERT MOORE, in his individual capacity
as former Jail Director of Shelby County, Tennessee;
KIRK FIELDS, in his official capacity as Jail Director of
Shelby County, Tennessee; CHARLENE McGHEE, in
her individual capacity as former Assistant Chief of Jail
Security of Shelby County, Tennessee; REGINALD
HUBBARD, in his official capacity as Assistant Chief of
Jail Security of Shelby County, Tennessee; DEBRA
HAMMONS, in her individual capacity as former
Assistant Chief of Jail Programs of Shelby County,
Tennessee; TIFFANY WARD in her official capacity as
Assistant Chief of Jail Programs of Shelby County,
Tennessee; SHELBY COUNTY, TENNESSEE, a
Tennessee municipality; TYLER TECHNOLOGIES,
INC., a foreign corporation; GLOBAL TEL*LINK
CORPORATION, a foreign corporation; SOFTWARE
AG USA, INC., a foreign corporation; and SIERRA-
CEDAR, INC., a foreign corporation, SIERRA
SYSTEMS GROUP, INC., a foreign corporation.

Defendants.

**Case No. 2:16-cv-2907-
SHM/tmp**

**CLASS ACTION
COMPLAINT FOR
VIOLATIONS OF THE
CIVIL RIGHTS ACT OF
1871, 42 U.S.C. § 1983,
TENNESSEE COMMON
LAW, DECLARATORY, AND
INJUNCTIVE RELIEF**

**JURY TRIAL DEMANDED
PURSUANT TO FED. R. CIV.
PRO. 38(a) & (b)**

**PLAINTIFFS' UNOPPOSED MOTION FOR LEAVE TO FILE REPLY BRIEF IN
SUPPORT OF MOTION FOR A DISCOVERY CONFERENCE, TO PERMIT MERITS-
BASED DISCOVERY, TO COMPEL DEPOSITIONS, AND FOR SANCTIONS AND FEES
AND MEMORANDUM IN SUPPORT THEREOF**

COME NOW the Plaintiffs, Scott Turnage, Cortez D. Brown, Deontae Tate, Jeremy S. Melton, Issacca Powell, Keith Burgess, Travis Boyd, Terrence Drain, and Kimberly Allen, on behalf of themselves and all similarly situated persons (hereinafter the “Plaintiffs”), and respectfully file this Unopposed Motion for Leave to File a Reply Brief In Further Support Of Their Motion For A Discovery Conference, To Permit Merits-Based Discovery, To Compel Depositions, And For Sanctions And Fees (Dkt. No. 291) (the “Motion to Compel”). In support of this Motion, Plaintiffs state as follows:

1. On April 9, 2020, Defendants Bill Oldham, Floyd Bonner, Jr., Robert Moore, Kirk Fields, Charlene McGhee, Reginald Hubbard, Debra Hammons, Tiffany Ward, and Shelby County, Tennessee (the “County Defendants”) filed their Response in Opposition to the Motion to Compel.

2. Likewise, on April 9, 2020, Tyler Technologies, Inc., Global Tel*Link Corporation, Software AG USA, Inc., Sierra-Cedar, Inc., Sierra Systems Group, Inc., and Tetrus Corp. (the “Vendor Defendants”) filed their own Response to the Motion to Compel, though the Motion to Compel does not seek relief as to the Vendor Defendants.

3. The County Defendants’ Response, at 38 pages, is nearly twice the length of the 20 page limit that ordinarily governs even complex federal briefs and is expansive in its factual recitation and argumentation.

4. The Vendor Defendants’ Response is principally focused on the issue of bifurcation of discovery and contests Plaintiffs’ claim that bifurcation is no longer appropriate in this action.

5. Plaintiffs respectfully submit that they should be permitted to file a Reply Brief to adequately address a number of the issues raised by the County Defendants in their extended Response. Plaintiffs further submit that a Reply Brief is appropriate to allow Plaintiffs to provide

this Court with additional pertinent case law and argumentation on the issue of bifurcated discovery.

6. Rule 7.2 of the Local Rules of this Court states that “[e]xcept as provided by LR 12.1(c) and LR 56.1(c), reply memoranda may be filed only upon court order granting a motion for leave to reply. Such motion for leave must be filed within 7 days of service of the response.” LR 7.2(c).

7. Counsel for Plaintiffs has consulted with counsel for both the County Defendants and the Vendor Defendants. Neither the County Defendants nor the Vendor Defendants oppose the relief requested herein.

8. Plaintiffs and the County and Vendor Defendants have agreed that, with leave of this Court, Plaintiffs shall have until April 24, 2020 to file the contemplated Reply Brief.

9. This Motion is timely filed and granting the relief requested herein will not result in prejudice to any party to this action, as is reflected by the lack of opposition to this Motion.

In light of the foregoing, Plaintiffs respectfully request that the Court grant its request for leave to file a Reply Brief.

Respectfully submitted,

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CERTIFICATE OF CONSULTATION

I, William E. Routt, hereby certify that prior to filing the above and foregoing motion, I successfully consulted via electronic mail on April 14 and 15, 2020 with Counsel for the opposing parties in this action in a good faith effort to reach an accord as to all issues identified herein. The opposing parties are not opposed to the relief requested in this Motion.

s/ William E. Routt

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of April, 2020, a true and correct copy of the foregoing pleading has been filed electronically with the Court's Electronic Case Filing System. Pursuant to the Court's ECF System, the following parties listed below are filing users who will receive notice of the foregoing document's filing:

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